

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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MILWAUKEE COUNTY, EMPLOYEE'S  
RETIREMENT SYSTEM OF THE COUNTY  
OF MILWAUKEE, and PENSION BOARD,  
EMPLOYEE'S RETIREMENT SYSTEM OF  
THE COUNTY OF MILWAUKEE,

Plaintiffs,

Case No. 06-CV-0372

v.

MERCER HUMAN RESOURCE  
CONSULTING, INC.,

Defendant.

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**DECLARATION OF PAUL D. BAUER IN SUPPORT OF  
MERCER'S RESPONSE TO PLAINTIFFS' MOTION TO EXCLUDE  
CERTAIN OPINIONS OF MERCER'S EXPERT JOHN W. PEAVY III**

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I, Paul D. Bauer, under penalty of perjury under the laws of the United States, and pursuant to 28 U.S.C. § 1746, declare that the following facts are true and correct:

1. I am a partner in the Milwaukee office of Quarles & Brady LLP, attorneys for the Defendant, Mercer Human Resource Consulting, Inc., nka Mercer (US) Inc. ("Mercer"). I have been involved in Mercer's defense in this matter from the commencement of this action. I make this declaration upon my personal knowledge.

2. Attached hereto are true and correct copies of the following exhibits:

- **Exhibit 1:** Expert Report of Mercer's Expert John W. Peavy III.
- **Exhibit 2:** Order Granting Summary Judgment in Favor of Defendants Milwaukee County and the Milwaukee County Pension Board and

Against Plaintiffs, *Bilda v. County of Milwaukee*, Case No. 02-CV-1766 (Milwaukee County, November 22, 2004).

- **Exhibit 3:** Deposition of Mercer's Expert John W. Peavy III, March 13, 2008.

Dated this 7th day of November, 2008.

s/ Paul D. Bauer